

From: hostmaster@clearwaterpeace.org@inetgw
To: Microsoft ATR
Date: 1/19/02 6:08pm
Subject: View of proposed settlements

I am addressing this address because of a report that the Department is seeking public comment on the proposed Microsoft settlement.

Microsoft was caught engaging in anti-competitive behaviors, confirming rumors on the street that had previously been fairly well accepted by observers. These behaviors including various forms of blackmail, such as charging OEM's for the price of Windows times the numbers of units sold, without regard to whether Windows was in fact installed, and charging a higher price to people who would not commit to Microsoft Apps being default apps or exclusive holders of a place on the desktop. The trial judge's findings of fact in these regards are still the facts of the case.

Of considerable interest to me is that Microsoft was caught in deliberate factual misrepresentations to the court more than once, yet showed no remorse or embarrassment, evidencing an arrogance that mocks any future reliance on in their truthfulness. Presumably if they will lie to the sitting judge in an anti-trust case, and ignore the fact they got caught at it, one may assume they will continue to lie to any enforcer/inspector.

The trial judge's remedy was positively inspired. Make sure that the OS folks have no lock on the apps, and vis versa.

This was the second time that Microsoft was in the courts over monopolistic manipulation of the marketplace. It was clear they had violated the intent and spirit of the first court order. They are simply not to be trusted.

As for Microsoft's oft invocation of the right to innovate, one must reluctantly conclude that the only 'innovation' ever produced by Microsoft, was their bald-faced adoption of ideas from DR/DOS, Xerox, and Apple, marketed in the press releases as their own wonderful new idea, and gullibly lapped up by the press. They also innovated by introducing to the software business the business model and ethics of the Robber Barons of the late nineteenth century. The highest quality work product of the company is their marketing and propaganda. Their ability to deliver to the public beta software sold as the final product is legendary, not to mention illustrative introduction of XP as 'the most secure OS ever' which OS was within the week shown vulnerable to all sorts of attacks. That they charge what they do for products which are as poor as they are, is further proof of the existence of a monopoly.

Do not trust these people. Place no faith in them. Do not rely on them in any way, shape or form. Every representation made to you by them is to be treated as untruthful in terms of designing the remedy.

--

Oliwni,

Ted

=====◇◇◇=====◇◇◇=====◇◇◇=====◇◇◇=====

Hosting mail.clearwaterpeace.org on a Macintosh Quadra 840av,
running Eudora Internet Mail Server 3.0.3, QuickDNS, and ?
IPNetRouter 1.4.7, with the superior cooperation of velocitus.net
and MOSX running behind the MacOS gateway.

=====◇◇◇=====◇◇◇=====◇◇◇=====◇◇◇=====